

UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA

v.

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Defendant

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Case No.

1:23-MJ- 253 (DJS)

RICHARD NEJAME

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

Between about October 1, 2022 and about May 1, 2023, in the county of Schenectady in the Northern District of New York and elsewhere, the defendant violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 875(c)	Interstate Communication of a Threat to Injure
18 U.S.C. § 2251(a)	Sexual Exploitation of a Child

This criminal complaint is based on these facts:

See attached affidavit.

Continued on the attached sheet.

TCFO MC DS

Complainant's signature

Task Force Officer Michelle C. Crandall, FBI

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date:

May 1, 2023

DJS

Judge's signature

City and State: Albany, New York

Hon. Daniel J. Stewart, U.S. Magistrate Judge

Printed name and title

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Michelle C. Crandall, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am an investigator with the Rotterdam Police Department and Task Force Officer (TFO) with the Federal Bureau of Investigation (FBI). I have been employed by the Rotterdam Police Department since July 2013 and a TFO with the FBI since November 2018. I am assigned full-time to the Albany Division, Albany, N.Y. I have investigated a variety of violent crimes including child sexual exploitation and child pornography, including violations pertaining to the illegal production, distribution, receipt and possession of child pornography in violation of 18 U.S.C. §§ 2251, 2252(a) and 2252A. I have received training in the area of child sexual exploitation and have observed and reviewed numerous examples of child pornography in all forms of media including computer media. My investigative experience includes interviewing victims and witnesses, as well as conducting searches of physical locations, social media, and electronic devices pursuant to court order or consent.

2. I submit this affidavit in support of a criminal complaint charging Richard NEJAME with: (i) knowingly and willfully transmitting in interstate commerce from the State of New York to the State of Florida, a Snapchat communication to V-1, who was then a female minor less than 16 years of age, and the communication contained a threat to injure V-1, specifically, that if V-1 did not send the defendant nude images and videos of herself that bad people would come looking for V-1 to harm her, or words to that effect, in violation of 18 U.S.C. 875(c); and (ii)

employing, using, persuading, enticing, and coercing female minor V-2, who was then less than 16 years of age, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported using any means and facility of interstate and foreign commerce, and knowing and having reason to know that such visual depiction would be transported in and affecting interstate and foreign commerce, in violation of Title 18 United States Code, Section 2251(a).

3. The statements contained in this affidavit are based on my involvement in this investigation, as well as information provided to me by other law enforcement officers involved in this investigation, the results of a search warrant previously executed, and upon my training and experience. Because this affidavit is being submitted for the limited purpose of establishing probable cause to charge the defendant by criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed violations of Title 18, United States Code, Sections 875(c) and 2251(a).

PROBABLE CAUSE

Background on Richard NEJAME

4. Richard NEJAME (d/o/b xx/xx/1995) is a 27 year old male who resides with his parents at 341 W. Highland Drive, Schenectady, New York.

5. NEJAME is believed to work for a global e-commerce company at its distribution facility located in the Capital District.

Genesis of the Investigation and V-1's First Interview with Law Enforcement

6. On or about October 17, 2022, the Maitland (Florida) Police Department was contacted by the mother of a 14-year old female (hereinafter "V-1"). The mother reported that her daughter, V-1, was receiving sexually inappropriate requests from a person on Snapchat.

7. Shortly after the initial complaint to the Maitland Police Department, V-1 was interviewed by law enforcement. During the interview, V-1 said that she had recently been communicating on the Internet, via Snapchat, with Snapchat user "heyimjason24" (the Target Account). V-1 also said that the user behind the Target Account asked her for her personal information, to include the address of her residence, which she provided.

8. V-1 also told law enforcement that the user behind the Target Account asked her to provide pictures / images of herself that were sexual in nature. V-1 said that she refused these requests, and that the user behind the Target Account became upset and said that if she did not provide the requested sexual pictures / images, he ("heyimjason24") would put images of her face and her location on the dark web.

Law Enforcement's Efforts to Identify the User Behind Snapchat Account "heyimjason24" (the Target Account)

9. Through legal process, investigators with the Maitland Police Department were able to identify the IP address(es) (67.248.133.244) associated with the above-described communications made on Snapchat by the user behind the Target Account. Through the issuance of additional legal process, investigators learned that the aforementioned IP address belonged to Charter Communications, and that the Charter Communications subscriber for the account is/was Mxxx Pxxxxxx with an address of 341 W. Highland Drive, Guilderland, NY 12303. Charter

Communications also provided records showing that the e-mail accounts associated with the account were mpXXXXXXXX@nycap.rr.com and ricknejame@gmail.com.

10. A review of commercial database records indicates that Richard Nejame is associated with the residence located at 341 W. Highland Drive, Guilderland, NY and the e-mail account ricknejame@gmail.com.

11. On or about December 22, 2022, agents with FBI Albany issued an administrative subpoena to Snap Inc. requesting subscriber and logon information for snapchat account heyimjason24. In response to the subpoena, Snap Inc. reported that the only IP address associated with the login and logout of account heyimjason24 was IP address 67.248.133.244. And, according to Snap Inc., the e-mail address associated with the account is heyimjason42@gmail.com.

Law Enforcement's Second Interview of V-1

12. On January 23, 2023, V-1 was interviewed at the FBI Orlando Resident Agency and was asked more questions about her communications with the user of the Target Account. V-1 stated that she was using Snapchat and was contacted by Snapchat user "Jason." The two proceeded to communicate over Snapchat, and V-1, at Jason's request, sent Jason her address and images of her face. In response, Jason sent V-1 approximately five images of a teenaged male with dark hair. Jason asked V-1 for photographs that were sexual in nature to "help him cum". When V-1 refused to provide nude images, Jason threatened V-1 by saying that if she did not send him nude images, he would release the images of her face and her personal information (including V-1's home address) to the dark web. Jason further told V-1 that bad people would come looking for V-1 if she did not comply within two minutes of Jason's request for nude images of V-1. V-1

did not send any nude photographs, and ultimately informed her parents of her communications with Jason. Near the conclusion of the interview, V-1 was shown a Snapchat thread and V-1 confirmed the threat contained within the Snapchat communications she had with Jason.

Law Enforcement's Identification of V-2

13. In October, 2022 the Chesterfield County (Virginia) Police Department received a report from a fifteen year old female (hereinafter "V-2"). V-2 reported to a Chesterfield Resource Officer that Snapchat user "heyimjason24" asked V-2 to produce / send nude images of herself. V-2 further reported that she complied with the requests of the user behind the Target Account and recorded multiple nude images of herself. V-2 also reported that she sent the nude images of herself to the user behind the Target Account. V-2 also reported that in the course of her communications with the user behind the Target Account, the user of that account threatened to put V-2's images and personal information on the dark web.

14. On January 31, 2023, V-2 underwent a second interview with law enforcement. During the interview V-2 said that on or about October 25, 2022 a Snapchat user added her as a friend. The user and V-2 began conversing about where each lived. V-2 said that she could only recall that the Snapchat user's name was Jason. V-2 told Jason that she was 16 years old, and Jason told her that he was her same age. Jason further told V-2 that he resided in upstate New York. As V-2's and Jason's communications progressed, Jason soon began requesting photographs of V-2 in order to see what V-2 looked like. V-2 said that she did send photographs of her face to Jason. V-2 described the requests getting progressively worse as Jason began to request nude photographs of V-2. V-2 complied with some of Jason's requests and said that the first image she sent of herself was of her bare chest. Jason then requested a full nude image of V-2 while standing up such that

it would show her whole body. Jason also requested that V-2 take videos of her top area and bottom area, and he instructed her to touch her top area and bottom area. V-2 said that she took 2-3 videos of herself touching her vagina and breasts and sent more than five nude images of herself to Jason.

15. On March 7, 2023, V-2 underwent a third interview with law enforcement in an effort to clarify some of the statements that she made on January 31, 2023. V-2 again explained how an unknown user named “Jason” added her on Snapchat and that she and Jason only communicated via Snapchat. When asked to clarify the parts of her body about which Jason requested pictures or videos, V-2 said that she meant her breasts, buttocks, and vagina. According to V-2, Jason requested images that depicted V-2’s breasts and vagina, and videos that depicted V-2 touching her breasts and vagina. V-2 further said that if Jason did not like the images that V-2 took, he would tell her that she needed to take more pictures. When V-2 told Jason that she did not want to take more pictures, Jason would threaten to send the pictures out on the web or send the pictures to other people.

16. During the interview, V-2 was shown a screen shot of a minor girl grinding her naked vagina on a pillow. V-2 said that the screen shot was from a video she sent Jason on Snapchat. V-2 was shown a second screen shot of a minor girl displaying her bare buttocks and appearing to insert a finger into her anus. V-2 said that the screen shot was from a video that she sent Jason on Snapchat.

17. V-2 and her parent(s) agreed to provide a forensic image of the contents of her smartphone to law enforcement. I have reviewed the image of V-2’s smartphone and found the images and videos described above. Also found on V-2’s phone are Snapchat messages between

V-2 and Jason who was communicating through the Target Account. In one Snapchat message, Jason instructed V-2 by saying, “I told you either you get nudes of or with your friends...get me 40 quality pictures of a guy...or make a video sucking a guys cock”.

Execution of a Search Warrant on Snapchat Account “heyimjason24” (the Target Account)

18. On March 23, 2023, the Honorable Daniel J. Stewart, U.S. Magistrate Judge, signed a search warrant authorizing agents to search the Snapchat account “heyimjason24”. Agents were authorized to search the account for a variety of offenses, including violations of 18 U.S.C. 875(c), 2251(a) and 2252A.

19. On or about April 5, 2023, Snapchat provided the warrant return. Evidence obtained in connection with the search warrant’s execution revealed that the majority of the account’s logins/logouts were associated with IP address 67.248.133.244 – the IP address that was used by the user behind Snapchat account “heyimjason24” to communicate with victims V-1 and V-2.

20. The chat content and videos/images for the Snapchat account were reviewed as part of the search warrant execution. In many of the account’s chats / messages “Jason” will (i) state that he is in the same geographic state as the victim, (ii) note that he does not meet in person, and (iii) typically state that he is between 13-16 years old. For example: if a suspected victim states that she is 12, “Jason” will state that he is 15 and will ask if that is too old. “Jason” will send images of a minor male and indicate that the minor male is “Jason”. The images sent are the same handful of images “Jason” uses to send to different minors. “Jason” has requested multiple “naughty” pictures from suspected minors. If he feels ignored or the minors do not comply with his request, “Jason” will threaten to send the minors’ information or any pictures to the dark web.

"Jason" has made mention to the suspected minor victims that unknown persons will come to rape/kidnap etc. the minors.

21. In addition to the Snapchat communications that "Jason" had with victims V-1 and V-2, investigators have located other incriminating Snapchat communications. In particular, a Snapchat conversation thread was recovered between "heyimjason24" and "sunflower_g3307" (hereinafter V-3). "Sunflower_g3307" indicates that she is a 13 year old girl. Found within the conversation threat were two nude videos involving the minor and one video of the minor masturbating. Below is an excerpt from the conversation which reflects "Jason" instructing the minor what to do:

heyimjason24	sunflower_ I want you to suck it so bad	Sun Nov 06 19:39:50 UTC 2022
sunflower_g3307	heyimjason1g that's good	Sun Nov 06 19:39:15 UTC 2022
heyimjason24	sunflower_ Yeah you get me so turned on	Sun Nov 06 19:38:42 UTC 2022
sunflower_g3307	heyimjasonBut you did cum a lot	Sun Nov 06 19:38:19 UTC 2022
sunflower_g3307	heyimjasonI would've said nicer things if you weren't blackmailing me honestly	Sun Nov 06 19:38:16 UTC 2022
heyimjason24	sunflower_ Yeah did you like watching me?	Sun Nov 06 19:37:47 UTC 2022
sunflower_g3307	heyimjasonCumming^	Sun Nov 06 19:37:22 UTC 2022
sunflower_g3307	heyimjasonYou like Cummings for me honestly	Sun Nov 06 19:37:18 UTC 2022
sunflower_g3307	heyimjason24	b~EIQSFKU4WG41eDZImSmFFoRDhDWHVIURoAGgAyAXIIA Sun Nov 06 19:16:01 UTC 2022
sunflower_g3307	heyimjason24	b~EIQSFTFIV0JON2lFaVNZMjdts2NKdV/JUx0AGgAyAXIIIAEYA Sun Nov 06 19:07:36 UTC 2022
sunflower_g3307	heyimjason24	b~EIQSFKB0dn3UGNEYRuWEt3dmVDeFZadxoAGgAyAXIIIAE Sun Nov 06 18:56:05 UTC 2022
heyimjason24	sunflower_ Just do what I say and I•ll cum fast	Sun Nov 06 18:46:57 UTC 2022
sunflower_g3307	heyimjasonI hate the timer but whatever	Sun Nov 06 18:46:37 UTC 2022
heyimjason24	sunflower_ You look good babe. Use the timer so you aren•t holding the camera	Sun Nov 06 18:46:16 UTC 2022

Also in the conversation thread "Jason" stated "You see how big my cock is, it makes me crazy", "it's just when I'm hard", and "I think I'm pretty nice after I cum hard". These comments were made after the minor stated that "Jason" was scaring her and was blackmailing her. Below is the pertinent excerpt:

sunflower_g3307	heyImJason I could see us bonding on so much more over sex but you destroyed that for me	Sun Nov 06 21:28:24 UTC 2022
sunflower_g3307	heyImJason You'd be such a better person if you were honest with what you want	Sun Nov 06 21:27:58 UTC 2022
heyImJason24	sunflower_ Just shave and you'll be able to finish up very soon	Sun Nov 06 21:27:33 UTC 2022
heyImJason24	sunflower_ Sorry hun it won't be much longer	Sun Nov 06 21:27:24 UTC 2022
sunflower_g3307	heyImJason I'm in so much pain	Sun Nov 06 21:27:20 UTC 2022
sunflower_g3307	heyImJason It's killing me	Sun Nov 06 21:27:03 UTC 2022
heyImJason24	sunflower_ You're doing great though, you don't have to be worried	Sun Nov 06 21:26:55 UTC 2022
sunflower_g3307	heyImJason If this was out in the public it would ruin my life I'd probably be back in some adoption center	Sun Nov 06 21:26:35 UTC 2022
sunflower_g3307	heyImJason I have to go to school and then have to hold the pain on my own for being blackmailed	Sun Nov 06 21:26:15 UTC 2022
sunflower_g3307	heyImJason It's tearing me up really	Sun Nov 06 21:25:59 UTC 2022
sunflower_g3307	heyImJason I don't know how long I can't keep this act up	Sun Nov 06 21:25:54 UTC 2022
heyImJason24	sunflower_ It'll be okay just keep being good to me	Sun Nov 06 21:23:36 UTC 2022
heyImJason24	heyImJason I'm sorry hun	Sun Nov 06 21:23:31 UTC 2022
sunflower_g3307	heyImJason I just wish you'd be more honest	Sun Nov 06 21:22:12 UTC 2022
sunflower_g3307	heyImJason But it can't go back to how I used to think of you after that	Sun Nov 06 21:21:56 UTC 2022
sunflower_g3307	heyImJason I am	Sun Nov 06 21:21:38 UTC 2022
heyImJason24	sunflower_ I think you're great too	Sun Nov 06 21:21:13 UTC 2022
heyImJason24	sunflower_ I'd like to think so	Sun Nov 06 21:21:09 UTC 2022
sunflower_g3307	heyImJason Whole blackmailing shit	Sun Nov 06 21:20:56 UTC 2022
sunflower_g3307	heyImJason If we take out the wo	Sun Nov 06 21:20:50 UTC 2022
sunflower_g3307	heyImJason You're a nice guy	Sun Nov 06 21:20:46 UTC 2022
sunflower_g3307	heyImJason Thh	Sun Nov 06 21:20:42 UTC 2022
sunflower_g3307	heyImJason Hmmm maybe	Sun Nov 06 21:20:30 UTC 2022
heyImJason24	sunflower_ You see how big my cock is, it makes me crazy 87-	Sun Nov 06 21:10:32 UTC 2022
heyImJason24	sunflower_ It's just when I'm hard	Sun Nov 06 21:10:17 UTC 2022
sunflower_g3307	heyImJason Mmm	Sun Nov 06 21:08:25 UTC 2022
sunflower_g3307	heyImJason And you're scarry smts	Sun Nov 06 21:08:13 UTC 2022
sunflower_g3307	heyImJason You take drastic decisions	Sun Nov 06 21:08:06 UTC 2022
heyImJason24	sunflower_ I think I'm pretty nice after I cum hard	Sun Nov 06 21:08:02 UTC 2022
sunflower_g3307	heyImJason I mean	Sun Nov 06 21:07:59 UTC 2022
heyImJason24	sunflower_ How?	Sun Nov 06 21:07:50 UTC 2022
sunflower_g3307	heyImJason You don't seem like the type	Sun Nov 06 21:07:37 UTC 2022
heyImJason24	sunflower_ I love cuddling after sex	Sun Nov 06 20:51:54 UTC 2022

Execution of Additional Search Warrants

22. On May 1, 2023, agents with FBI Albany executed federal search warrants on the residence of Richard NEJAME, NEJAME's person, and a 2019 Toyota Camry bearing New York State registration GTE5766. The search warrants authorized agents to search for evidence of a variety of federal crimes including interstate communication of a threat, in violation of 18 U.S.C. 875(c), sexual exploitation of a child, in violation of 18 U.S.C. 2251(a), and the receipt, distribution, and possession of child pornography, in violation of 18 U.S.C. 2252A(a)(2), (a)(5)(B).

23. During the course of the execution of the search warrant at NEJAME's residence on May 1, 2023, agents recovered a smartphone from NEJAME. Preliminary forensic review of the aforementioned smartphone has not yet been completed.

The May 1, 2023 Interview of Richard NEJAME

24. At approximately 11:23 a.m. on May 1, 2023, Richard NEJAME, who was located outside of his residence in the NDNY, was asked if he would be willing to speak with the agents, and he said yes. The agents then began an interview of NEJAME. The interview then moved to the residence's garage wherein NEJAME was given a *Miranda* warning as a prophylactic measure. NEJAME said that he understood his rights and that he was still willing to speak with the agents.

25. During NEJAME's May 1, 2023 interview, he said a variety of things, including that:

- a. The Snapchat account "heyimjason24" was his Snapchat account and that he was lonely; and
- b. That he knew he was communicating with minors while he was on Snapchat.

CONCLUSION

26. Based on the foregoing, there is probable cause to conclude that Richard NEJAME, between about October 1, 2022 and May 1, 2023, in the Northern District of New York and elsewhere, has:

- (i) violated Title 18, United States Code, Section 875(c), by knowingly and willfully transmitting in interstate commerce from the State of New York to the State of Florida, a Snapchat communication to V-1, who was then a female minor less than 16 years of age, and the communication contained a threat to injure V-1, specifically, that if V-1 did not send the defendant nude images and videos of herself that bad people would come looking for V-1 to harm her, or words to that effect; and

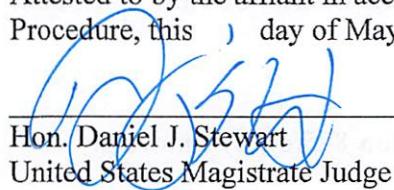
(ii) violated Title 18, United States Code, Section 2251(a), by employing, using, persuading, enticing, and coercing female minor V-2, who was then less than 16 years of age, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported using any means and facility of interstate and foreign commerce, and knowing and having reason to know that such visual depiction would be transported in and affecting interstate and foreign commerce.

Respectfully submitted,



Michelle C. Crandall
Task Force Officer
Federal Bureau of Investigation

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure, this 1 day of May, 2023.



Hon. Daniel J. Stewart
United States Magistrate Judge